

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

WHIRLPOOL CORPORATION,

§

Plaintiff,

§

v.

§

A&M DISTRIBUTION, LLC,  
AYMERIC MONELLO AND  
MEGAN GRANT,

§

§

§

Defendants.

§

Civil Action No. 2:16-cv-106

**CONSENT JUDGMENT AND PERMANENT INJUNCTION**

This matter comes before the Court on the joint motion of Plaintiff Whirlpool Corporation (“Whirlpool”) and Defendants A&M Distribution, LLC, Aymeric Monello and Megan Grant (“Defendants”) (Dkt. No. 7).

**WHEREAS**, this Consent Judgment and Permanent Injunction concerns the patent infringement claim between Whirlpool and Defendant in this Civil Action No. 2:16-cv-106 (referred herein to as the “Litigation”); and

**WHEREAS**, Whirlpool and Defendants request this Consent Judgment and Permanent Injunction be entered in the above-captioned case; and

**WHEREAS**, Whirlpool owns United States Patent Nos. 7,000,894 (“the ‘894 patent”); and

**WHEREAS**, Defendants have offered for sale and sold replacement water filters bearing model no RFC0800A as shown in Exhibit A hereto; and

**WHEREAS**, in the Litigation, Whirlpool alleged that Defendants infringed at least claims 1 and 4 of the ‘894 patent under 35 U.S.C. § 271 by virtue of Defendants’ offer for sale and sale of the replacement water filters shown in Exhibit A; and

**WHEREAS**, in the Litigation, Whirlpool alleged it would be irreparably harmed if Defendants are not enjoined from infringing the ‘894 patent; and

**WHEREAS**, in the Litigation, Whirlpool requested that this Court enter a permanent injunction enjoining Defendants from infringing the ‘894 patent; and

**WHEREAS**, Whirlpool and Defendants have reached an agreement to finally settle the Litigation as set forth in this Consent Judgment and Permanent Injunction and a separate Settlement Agreement which is contemporaneously and separately being executed; and

**WHEREAS**, Whirlpool and Defendants each acknowledge this Court has subject matter jurisdiction and, further, consent to personal jurisdiction in the Eastern District of Texas in this proceeding and for purposes of enforcing the Settlement Agreement in the future.

**IT IS HEREBY ORDERED, DECREED and ADJUDGED as follows:**

1. This Court has jurisdiction over Whirlpool, Defendants and the subject matter of this Litigation.

2. Whirlpool has ownership and standing to sue for infringement of the ‘894 patent.

3. The ‘894 patent claims are enforceable and not invalid.

4. Defendants’ offer for sale and sale of the replacement water filters as shown in Exhibit A constitutes infringement of at least claims 1 and 4 of the ‘894 patent.

5. Defendant A & M Distribution, LLC, its officers, agents, servants, employees, associates, attorneys and other persons who are in active concert or participation therewith are hereby permanently enjoined as of the date hereof from infringing the ‘894 patent by the

manufacture, use, offer to sell, sale, importation, or distribution of the products identified in Exhibit A or any colorable variations thereof that also infringe the '894 patent.

6. Defendants Aymeric Monello and Megan Grant are hereby permanently enjoined as of the date hereof from infringing the '894 patent by the manufacture, use, offer to sell, sale, importation, or distribution of the products identified in Exhibit A or any colorable variations thereof that also infringe the '894 patent.

7. Each party shall bear its own costs and attorneys' fees.

8. This Court shall retain jurisdiction over Whirlpool and Defendants for the purpose of enforcing the terms of this Consent Judgment and Permanent Injunction and over any matters related to or arising from the interpretation or enforcement of the Settlement Agreement.

**So ORDERED and SIGNED this 20th day of July, 2016.**



RODNEY GILSTRAP  
UNITED STATES DISTRICT JUDGE

APPROVED AND AGREED TO:

By: /s/ Melissa R. Smith

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A&M DISTRIBUTION, LLC,  
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**EXHIBIT**

Consent Judgmt. Exhibit A

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